

FILED

MOTION LETTER by John Stone for an order  
in 99 C 395

IN THE  
S. DISTRICT COURT  
NORTHERN DIST OF ILLINOIS

DEC - 6 2002

MICHAEL W. LEBING  
CLERK, U.S. DISTRICT COURT

RAHIM  
Plaintiff,

v.

SHEEHAN  
Defendant

DOCKETED  
DEC 12 2002

Case No. 99C395

## PROOF/CERTIFICATE OF SERVICE

TO: PRISONER Correspondence  
CLERK OF COURT  
U.S. DIST COURT 219 S. DEARBORN  
CHICAGO, IL. 60604

TO: THOMAS PETERS; ATTY AT LAW  
542 S. DEARBORN SUITE 750  
CHICAGO, IL. 60605

PLEASE TAKE NOTICE that on \_\_\_\_\_, 20\_\_, I have placed the documents listed below  
in the institutional mail at \_\_\_\_\_ Correctional Center, properly addressed to the parties listed above  
for mailing through the United States Postal Service: BIG MUDDY RIVER TREATMENT  
CENTER P.O. Box 900, INA, IL. 62846

Pursuant to 28 USC 1746, 18 USC 1621 or 735 ILCS 5/109, I declare, under penalty of perjury, that I am a  
named party in the above action, that I have read the above documents, and that the information contained  
therein is true and correct to the best of my knowledge.

DATE: 12/2/02

1s/ John Stone  
NAME: JOHN STONE  
IDOC#: 1A-15875  
BMA INLA TC Correctional Center  
P.O. BOX 900  
INA, IL 62846

105

FILED

UNITED STATES DISTRICT COURT  
NORTHERN DISTRICT OF ILLINOIS

DEC - 6 2002

MICHAEL W. DOUGLAS  
CLERK, U.S. DISTRICT COURT

JOHN STONE, A/K/A: JOHN Stone-ED  
#A-15875 BIG MUDDY RIVER Treatment CTR  
P. O. Box 900, INA, IL 62846

NOV 25, 2002

P.  
PRISONER Correspondence  
CLERK OF THE COURT  
U. S. DISTRICT COURT  
219 SO. DEARBORN ST.  
CHICAGO, IL. 60604

RE: RAHIM J. SHEENAN # 99 C 395

AND

THOMAS PETERS; CLASS COUNSEL  
542 SO. DEARBORN ST. SUITE 730  
CHICAGO, IL. 60605

DEAR JUDGE SCHENKIER;

I AM WRITTING THIS LETTER TO YOU IN HOPES THAT YOU CAN AND WILL ASSIST ME IN EXPIDING A SITUATION THAT I AM CURRENTLY FACING WITH THE CLASS COUNSEL. WHEN I FIRST BECAME AWARE OF THE CLASS ACTION CERTIFICATION IN THIS CASE, I WROTE TO COUNSEL AND ADVISED HIM THAT I CERTAINLY AM A LEGITIMATE PART OF THE CLASS, THAT HE COULD CHECK THE RECORDS FROM 1997 THROUGH 2000 UNDER EITHER OR BOTH NAMES AS STATED ABOVE, I GAVE SOCIAL SECURITY DATE OF BIRTH AND HOME ADDRESS TELEPHONE NUMBER, I GAVE EVERYTHING EXCEPT INSTITUTIONAL NUMBERS THAT I HAD BEEN UNDER AND HAD REQUESTED A COPY OF THE COMPLAINT AND CLASS CLAIM FORM UNDER FRCP 23(b)(3). I MADE THE REQUEST SEVERAL TIMES, AND THE PKA HAS NEVER EVEN ACKNOWLEDGED HEARING FROM ME OR THAT I AM AN UNACKNOWLEDGED MEMBER OF THE CLASS (~~WIT~~)

NEXT PAGE

I recently learned from the Prisoner Correspondent exactly what stage the litigation is in. Your Honor everything is nearly over and Counsel is still refusing to acknowledge Class Members. I have attempted on more than one occasion to fit into the class as authorized by the Orders of this Honorable Court and my solitary concerns have been ignored, just as my single plight has as a Complainant. I am therefore Motioning this Honorable Court as a disgruntled Class Member to be allowed to file a formal Class form or alternately to file separate and independent litigation in my own behalf Under rule 23(d) of federal rules of Civil Procedures and the 8th and 14th Amendments to the Constitution of the United States of America.

ALLMAN V. COUGHLIN 577 f. Supp 1440

ARNEY V. FINNEY 766 f. Supp 934

Respectfully submitted

JOHN STONE: MOVANT

AFFIRMATION

I, JOHN STONE, A/K/A: JOHN STONE-EL, \*A-15875 THE MOVANT HEREIN, DO HEREBY DECLARE UNDER THE PENALTY OF PERJURY I HAVE A CLEAR UNDERSTANDING OF THE FOREGOING MOTION/LETTER AND ALL OF THE CONTENTS THEREIN.

Subscribed and Sworn to before me

This \_\_\_\_\_ day of \_\_\_\_\_ 200\_\_

NOTARY PUBLIC

I recently learned from the Prisoner Correspondent, rather than the Peters Bros. exactly what was going on in the litigation, at any rate everything is nearly over and I'm still in the process of trying to be acknowledged as a Member of the Class, so since My Plea to Humanity is Unanswered I formally Motion this Hon. Court Under Rule 23(d) of federal rules of Civil Procedures for direct intervention or for the Action as a Class Member Unnamed. or that I be given the leave to Proceed in My Own individual Complaint. IN RE A. H. Robbins Co. INC 880 f.2d 709, 728; Anderson, V. Aetna, <sup>493</sup> 439 U.S. 959, 110 S. Ct. 277 Allman, V. Coughlin, 577 f.3d 1440; I requested a Copy of The Complaint from Class Counsel and Was ignored Allen, V. Isaac, 100 FRD at 375.

This Honorable Court has already approved a Settlement in the Case and though the Movant is a Class Member Movant has little or no knowledge of what is going on I cannot help but to disagree with the way Counsel is handling the Case because I have been absolutely excluded from every part of this litigation. I have no true desire for Unilateral litigation, however if the Court does Not authorize My intervention as a Class Member, I ask for a formal denial in Writing.

Respectfully Submitted

JOHN STONE: MOVANT

AFFIRMATION

I, JOHN STONE, A/K/A: JOHN STONE-EL #A-15875 THE MOVANT HEREIN, DO HEREBY  
DECLARE UNDER THE PENALTY OF PERJURY, THAT I HAVE READ THE FOREGOING  
LETTER/MOTION AND THAT IT IS CLEAR IN SUBSTANCE AND IN FACT TO THE BEST  
OF MY KNOWLEDGE AND MY SINCERE BELIEF.

John Stone  
JOHN STONE: AFFIRANT #A-15875  
BIG MUDDY RIVER TREATMENT CENTER  
P. O. Box 900, Evan, IL. 62846

SUBSCRIBED AND SWORN TO BEFORE ME  
THIS 2<sup>nd</sup> DAY OF Dec. 2002

Jennifer L. Wilson  
NOTARY PUBLIC:

